

No. 4:21-CR-5-O

**IN THE UNITED STATES DISTRICT COURT,
NORTHERN DISTRICT OF TEXAS**

UNITED STATES OF AMERICA

v.

**THE BOEING COMPANY
Defendant**

**REPLY BRIEF OF AMICUS CURIAE ANTHONY KEYTER (SENIOR BOEING
INSTRUCTOR PILOT, RETIRED) TO BOEING RESPONSE AND USA RESPONSE
TO MOTIONS REQUESTING THE COURT NOT TO ACCEPT THE BOEING
PLEA AGREEMENT**

FILED

August 20, 2024

**KAREN MITCHELL
CLERK, U.S. DISTRICT
COURT**

**ANTHONY P. KEYTER
6200 SOUNDVIEW DR, R201
GIG HARBOR, WA 98335**

AUGUST 17, 2024

TABLE OF CONTENTS

	Page
Reply Brief	2
Pertinent Examples of Boeing's Plea Agreement Breaches	2
Conclusion	4

REPLY BRIEF

While the Boeing Company and the DOJ Prosecutors for the United States have not directly responded to the Motion of the Amicus Curiae Anthony Keyter, to reject the Boeing Plea Agreement (Docket 225, as Amended in Docket # 229), justice will not be served in this matter if the Court does not give its sober attention to that Motion. The Motion put forward by Anthony Keyter, Prosecutor Qui Tam and victim of Boeing's crimes, describes ongoing crimes being perpetrated by the Boeing Company which criminality the Department of Justice (DOJ) has willfully ignored.

The Boeing Company, and the DOJ prosecutors acting on behalf of the USA, both know that Boeing is in breach of their Plea Agreement from the very outset of that agreement. Under those conditions, this Court should not accept the Plea Agreement until Boeing is complying with such agreement in all good faith.

PERTINENT EXAMPLES OF BOEING'S PLEA AGREEMENT BREACHES

Some arbitrary yet pertinent examples of Boeing's many ongoing breaches of the Plea Agreement are summarized here, but are presented in detail in Anthony Keyter's Amended Motion (Docket # 229), in Appendix 1 and 2 (the Dossier of Crimes, Volume III, Chapter 42.1):

1. Boeing's Ongoing Illegal Business Dealings in Washington State

The USA found in this case that Boeing *criminally conspired* to defraud the United States. Boeing confessed to that crime of *conspiracy*. Boeing Commercial Airplanes is based in Washington State and Washington State statute RCW 9A.08.030(5), clearly states: “*Every corporation, whether foreign or domestic, which shall violate any provision of RCW 9A.28.40, shall forfeit every right and franchise to do business in this state*”. [RCW 9A.28.40, refers to *criminal conspiracy*]. Boeing continues to illegally do business in Washington State - with the knowledge and consent of the DOJ. Boeing is in ongoing direct violation of this criminal statute and in breach of the Plea Agreement {Section 7(d)} from the time it signed the Plea Agreement with the DOJ prosecutors acting on behalf of the USA.

2. Boeings Ongoing Fraud upon the Investing Public

Boeing willfully failed to issue a “cautionary” to the investment markets, concerning the fact that Boeing Commercial Airplanes is illegally doing business in Washington State and may not by law do business there. Boeing is in violation of Sections 17(a)(2) and 17(a)(3) of the US Securities Act and therefore in violation of their Plea Agreement, Sections 7(d) and 8. The resultant fraud upon the unsuspecting investment markets of some **\$249.88 billion** is in direct violation of the United States Code on fraud, the Securities Act, the Plea Agreement, and the US District Court Order. At any time, when these crimes of Boeing are exposed and prosecuted by the authorities (nationally or internationally), investors and prospective investors face very large losses from that *ongoing fraud*. (See Docket # 229, Appendix 1, the Dossier of Crimes, Volume III, Chapter 42.1.16 for details). This fraud is being perpetrated with the knowledge and consent of DOJ prosecutors, with whom Boeing has dishonestly concluded the Plea Agreement.

3. Boeing's Attempted Kidnap and Murder of a Whistleblower

Boeing is under legal obligation, pursuant United States statute 18USC4, to report to this Court, its unreported (and therefore unaddressed) heinous crime of attempted kidnap and murder of a whistleblower/ court witness (Anthony Keyter). In its Plea Agreement, Boeing has agreed to commit no further crimes [Section 7(a)] and agreed to be truthful at all times to this Court [Section 7(e)]. Yet Boeing has willfully failed to report the crime of *ongoing* conspiracy to kidnap and murder to this Court (in violation of criminal statute 18USC4). Boeing has thereby willfully failed to be truthful to this Court, in violation of its Plea Agreement. This Court can demand that Boeing tell the truth about the current and ongoing plot to kidnap and murder a Boeing Senior Instructor Pilot (now retired). The crime victim will willingly lead this court to the Boeing officials implicated.

Other Examples of Boeing's Ongoing Crimes

The Court is referred back to the Amicus Curiae's Amended Brief (Docket # 229), Appendix 1, for all Boeing's other *unaddressed crimes*; and Appendix 2, for a full list of Boeing's *ongoing crimes*. It must again be noted that the DOJ prosecutors who entered the Plea Agreement with Boeing, are fully aware and cognizant of the series of crimes being perpetrated by Boeing and have nevertheless, willfully and deceitfully, entered the Plea Agreement with Boeing - knowing that the agreement is being violated on a daily basis.

CONCLUSION

Where Boeing and the DOJ prosecutors have not been honest, open, or just in this matter, this Court has the opportunity to do what is right for all past victims and potential future victims of Boeing crimes - including the international investing public, the international flying public, and the United States of America. This Court should not accept the present Plea Agreement between Boeing and the DOJ Prosecutors until such time as *all*

unaddressed Boeing crimes have been brought to light, have been confessed to, and have been addressed and terminated.

This Court has a moral obligation and legal duty (pursuant FRCrimP, Rules 4 and 41) to put an end to the impunity afforded to the Boeing Company – for the safety and security of Boeing crime victims, past, present and future. For, who amongst us can say with certainty that we or our loved ones will not be the next victims of Boeing's crimes? A company that is capable of attempting to kidnap and murder one of its own senior employees of good standing, in order to silence his testimony in court, shows extreme indifference to human life.

For that reason, the writer repeats his vital '*Flight Safety Warning*': *No passengers flying on Boeing aircraft or Spacecraft world-wide will ever be safe, unless and until the Boeing Company's criminal corporate culture is addressed and eradicated once and for all.*

Respectfully Submitted,



Anthony P. Keyter
Amicus Curiae / Boeing Crime Victim /Prosecutor Qui Tam
Boeing Company Senior Instructor Pilot, Retired.

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of August 2024, a true and correct copy of this Reply

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Respectfully Submitted,



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August 17, 2024

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The Clerk,

Re: Filing in Case No. 4:21-cr-5-O

Enclosed find a 'Reply Brief' of Amicus Curiae/ Crime Victim, Anthony Keyter, in criminal case number **4:21-CR-5-O**, together with the 'Certificate of Service. Thank you.

Sincerely,



Anthony Keyter

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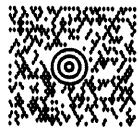
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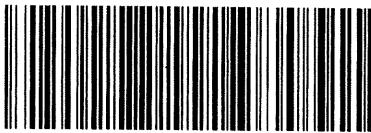
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FOR THE STATE OF TEXAS

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